

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

CARLOS LOPEZ,

Plaintiff,

-v-

19 Civ. 3463 (PAE)

UNITED STATES OF AMERICA,

Defendant.

ORDER

PAUL A. ENGELMAYER, District Judge:

On May 16, 2019, the Court issued an order denying, without prejudice, petitioner Carlos Lopez's *pro se* motion to vacate his conviction for conspiracy to distribute narcotics in violation of 21 U.S.C. § 846. Dkt. 5. The Court neglected to address whether petitioner is entitled to a certificate of appealability. For the reasons stated in its earlier order, the Court declines, *nunc pro tunc*, to issue a certificate of appealability and certifies that any appeal from this order would not be taken in good faith; therefore, *in forma pauperis* status is denied for the purpose of an appeal. *Coppedge v. United States*, 369 U.S. 438, 445 (1962).

SO ORDERED.



PAUL A. ENGELMAYER
United States District Judge

Dated: November 15, 2019
New York, New York